GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Dept. – Forest Clearance - "Diversion of 38.60 ha (revised from 54.00 ha) of forest land falling in Muthukur and Markpur RF, Markapur WL Division (presently PT Markapur Division) in favour of the Regional Officer, MoRTH, Vijayawada Division for rehabilitation and up-gradation of National Highway-565 from km 133.922 to km154.900 (Davupally to Mallapalem Junction) to two lanes with paved shoulders in the state of Andhra Pradesh under NHDP-IV" – Final approval accorded.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.II) DEPARTMENT

G.O.MS.No. 45 **Dated: 29-10-2024**

Read the following:-

1.From the PCCF & HoFF, A.P., Guntur, Lr.Ref.No.EFS02-15034/35/2021-FCA SEC-PCCF/FCA-1, dated 15.03.2023.
2.State Govt.Lr.No.559/Sec.II/2023, EFS&T(Sec.II) Dept., dated 19.04.2023.
3.From the GoI, MoEF&CC, Sub-office of the Regional Office, Vijayawada, Lr.F.No.4-APA208/2023-VIJ/1371, dt 06.11.2023.
4.From the PCCF & HoFF, A.P., Mangalagiri, Guntur, Lr.Ref.No.EFS02-15034/35/2021-FCA SEC-PCCF/FCA-1, dated 05.09.2024.
5.State Govt.Lr.No.559/Sec.II/2023/2027951, EFS&T(Sec.II) Dept., dated 23.09.2024.
6.From the GoI, MoEF&CC, Sub-office of the Regional Office, Vijayawada, Lr.F.No.4-APA208/2023-VIJ/487, dated 11.10.2024.

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ORDER:

In the letter 1st read above, the PCCF & HoFF, A.P., Mangalagiri, Guntur Dist, has submitted a proposal seeking prior approval from the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for "diversion of 38.60 ha (revised from 54.00 ha) of forest land falling in Muthukur and Markpur RF, Markapur WL Division (presently PT Markapur Division) in favour of the Regional Officer, MoRTH, Vijayawada Division for rehabilitation and up-gradation of National Highway-565 from km 133.922 to km 154.900 (Davupally to Mallapalem Junction) to two lanes with paved shoulders in the state of Andhra Pradesh under NHDP-IV" and the same has been sent to the GoI, MoEF&CC, Sub-office of the Regional Office, Vijayawada for according in-principle approval under Section-2 of the Forest (Conservation) Act, 1980 in the letter 2nd read above.

2. In the letter 3rd read above, the Government of India, Ministry of Environment & Forests, Sub-office of the Regional Office, Vijayawada, after receiving certain additional information, have accorded in-principle approval under Section-2 of the Forest (Conservation) Act, 1980, for the above proposal, subject to the fulfillment of relevant conditions stipulated therein.

3. In the letter 4th read above, the PCCF & HoFF, A.P., Mangalagiri, Guntur Dist, has furnished a compliance report on the conditions stipulated in the in-principle approval for onward submission to the GoI, MoEF & CC, Sub-office of the Regional Office, Vijayawada for according 'Final' approval Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for the proposal. The same has been forwarded to the GoI, MoEF & CC, Sub-office of the Regional Office, Vijayawada for according 'Final' approval to the proposal vide letter in the 5th read above.

4. In the letter 6th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Sub-office of the Regional Office, Vijayawada have accorded "Final approval" under Section-2(1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for "diversion of 38.60 ha (revised from 54.00 ha) of forest land falling in Muthukur and Markpur RF, Markapur WL Division (presently PT Markapur Division) in favour of the Regional Officer, MoRTH, Vijayawada Division for rehabilitation and up-gradation of National Highway-565 from km 133.922 to km 154.900 (Davupally to Mallapalem Junction) to two lanes with paved shoulders in the state of Andhra Pradesh under NHDP-IV", subject to the fulfilment of certain conditions stipulated therein.

5. Government, after careful examination of the proposal, hereby accord permission to the PCCF & HoFF, A.P., Mangalagiri, Guntur Dist, for "diversion of 38.60 ha (revised from 54.00 ha) of forest land falling in Muthukur and Markpur RF, Markapur WL Division (presently PT Markapur Division) in favour of the Regional Officer, MoRTH, Vijayawada Division for rehabilitation and up-gradation of National Highway-565 from km 133.922 to km 154.900 (Davupally to Mallapalem Junction) to two lanes with paved shoulders in the state of Andhra Pradesh under NHDP-IV", subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged;

ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency;

iii. The State Forest Department shall carry out compensatory afforestation over an extent of 90.00 ha within the 115.03 ha degraded forest area identified in the following four bits at the cost of the User Agency;

Sl.No.	Particular	Location	Extent of area
01	Bit-I	Compt No.193 of Gangavaran RF	25 ha (within bit area of 30.04)
02	Bit-II	Compt No.187 of ENB XII RF Malleapalem Beat, Y. Palem Section of Y Palem Range	25 ha (within bit area of 38.02 ha)
03	Bit-III	Compt No.188 of ENB XII RF Mallepalem Beat, Y.Palem Section of Y Palem Range	20 ha (within bit area of 22.33 ha)
04	Bit-IV	Compt No.166 & 175 of ENB-XRF Komarolu Beat Y. Palem Section of Y Palem Range	20 ha (within bit area of 24.64 ha)

iv. Identified CA area and CA scheme shall not be changed without prior approval of Central Government;

v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;

vi. The State Government / User Agency shall strictly implement approved Wildlife mitigation plan and all other recommendation of the SC NBWL, at the cost of the project;

vii. Trees shall be felled wherever necessary under the strict supervision of the DFO concerned;

viii. The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost:

ix. The User Agency shall carry out avenue plantation and its maintenance on sides of the road at the cost of the project;

x. Construction of culverts / bridges, if any, over the natural streams/rivers/canals shall be done in such a manner that it does not hamper the natural course of water, does not give rise to waterlogging, and also does not hamper movement of wild animals;

xi. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;

xii. The dug out material / overburden shall be dumped outside the forest Storage of any material shall not be done in the forest area;

xiii. The State Government shall ensure settlement of eligible RoFR holders, if any as per the rules / regulation as per the R&R Scheme;

xiv. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

xv. The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;

xvi. Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;

xvii. The total forest area utilized for the project shall not exceed **38.60 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect;

xviii. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;

xix. The User Agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

xx. Any other conditions that the Central Government may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied with by the user agency;

xxi. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests &
Head of Forest Force,
Andhra Pradesh, Mangalagiri, Guntur District.

Copy to:

The Inspector General of Forests,
ROHQ, MoEF&CC, Indira Paryavaran Bhavan,
Jor Bagh Road, Aliganj, New Delhi – 110 003.

The Assistant Inspector General of Forests (Central),
GoI, MoEF&CC, Sub-office at Vijayawada of
Regional Office, Chennai, Green House Complex,
Gopal Reddy Road, Vijayawada – 520 010.

The Regional Office, Ministry of Road Transport and Highways,
American Hospital road,
Punammathota, Nehrunagar,
Vijayawada-500002
Nh56520.978@gmail.com

SC/SF (Computer No.2027951)

//FORWARDED :: BY ORDER//

SECTION OFFICER